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Contested Case Hearing Granted on South Texas Uranium Permit

Environment News Service, 02/26/09

By Staff

Local officials and citizens from Goliad County got some encouragement Wednesday in their fight against uranium mining over a south Texas aquifer.

The Texas Commission on Environmental Quality voted to allow a contested case hearing on an application by Uranium Energy Corporation to mine uranium just north of the historic mission town of Goliad. No uranium mining has occurred before in this agricultural area.

"This has been such a long, long haul and it's not over yet," said local landowner Lu Ann Duderstadt, who lives near the area targeted for uranium mining. "I feel like we have a chance here and we're still going to carry this out until the end."

Craig and LuAnn Duderstadt, were considered by the TCEQ to be parties affected by the proposed mine, along with several other individuals, Goliad County, the Goliad County Groundwater Conservation District, a Lutheran church and a volunteer fire department.

The Duderstadts, who raise and sell feed hay, were forced to purchase water for domestic use in their home after UEC exploration activities allegedly fouled the aquifer near their ranch.

Some of those who traveled to Austin for the TCEQ meeting Wednesday were members of the Alliance of Texans for Uranium Research & Action, ALTURA.

Formed in early 2008 by three groups - South Texas Opposes Pollution, Uranium Information at Goliad, and the Coastal Bend Sierra Club - ALTURA is demanding a moratorium on uranium exploration and mining in Texas drinking water aquifers.

Houston environmental attorney Jim Blackburn was present to represent Goliad County and Goliad attorney Terry Baiamonte was present to represent Goliad County Ground Water Conservation District.

While a contested case hearing was granted, the corporation also made some gains in its effort to begin mining for uranium in Goliad County. The TCEQ issued an air quality permit for the Goliad project since it was determined that since the operation would not produce significant air contaminants.

The final draft mine permit was issued by TCEQ in June 2008, and is subject to further consideration. All other required permit applications have been filed and are now under consideration or technical review.

The property at issue has been drilled before. Uranium Energy Corp. says the previous project operator, Moore Energy Corp, drilled 479 holes during mid-1980s.

Uranium Energy Corp drilled some 600 confirmation and delineation holes from May 2006 through December 2007 on the 1,421 acre property.

At Wednesday's hearing, Commissioner Larry Soward raised the possibility of consolidating into one contested case hearing the four Uranium Energy Corp. permit applications associated with the uranium mining venture on the basis that it would be more administratively cohesive for the TCEQ.

The commissioners instead voted to grant a hearing for the first application declared administratively complete late last year.

The TCEQ will now refer the Goliad case to the State Office of Administrative Hearings, which

expected to schedule a preliminary hearing on the issue by late April.

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"All the darkness in the world cannot extinguish the light of a single candle." - Maria Gautier

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